

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK  
VARIABLE LIFE INSURANCE  
COMPANY, and INVESTORS  
PARTNER LIFE INSURANCE  
COMPANY,

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

Civil Action No. 03 CV 12501DPW

Hon. Douglas P. Woodlock

**DEFENDANT ABBOTT LABORATORIES' MOTION FOR  
IMPOUNDMENT OF CONFIDENTIAL INFORMATION**

Pursuant to Local Rule 7.2, Defendant and Counter-Plaintiff Abbott Laboratories ("Abbott") hereby moves this Court for leave to file the following documents under seal in connection with Abbott's Motion for Summary Judgment:

1. Abbott Laboratories' Memorandum In Opposition To Plaintiffs' Motion For Summary Judgment;
2. Abbott Laboratories' Response To Hancock's Statement Pursuant To Local Rule 56.1;
3. Second Affidavit Of Kathleen B. Barry In Support Of Defendant Abbott Laboratories' Motion For Summary Judgment And In Opposition To The Motion For Summary Judgment By Plaintiffs; and
4. Affidavit Of Philip M. Deemer.

The materials to be impounded contain confidential information of Abbott and/or John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Investors Partner Life Insurance Company (collectively, "Hancock") that has been designated "Confidential" or "Highly Confidential" pursuant to the Stipulated Protective Order executed by the parties and entered by the Court in this matter on May 12, 2004 ("Stipulated Protective Order").

Abbott has consulted with Hancock pursuant to Local Rule 7.1(A)(2), and Hancock concurs that to the extent the above referenced documents contain confidential information that has been designated "Confidential" or "Highly Confidential" by one of the parties, the documents should be filed in compliance with the impoundment provisions of the Stipulated Protective Order and Local Rule 7.2.

Abbott respectfully requests that, pursuant to the Stipulated Protective Order, the above-referenced documents that are the subject of this Motion be impounded until further Order of the Court, and returned to outside counsel for Abbott upon the conclusion of such custody.

Respectfully submitted,

ABBOTT LABORATORIES

By: /s/ Michael S. D'Orsi  
One Of Its Attorneys

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Dated: October 13, 2004

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

The undersigned hereby certifies that counsel for Abbott Laboratories has conferred with John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Investors Partner Life Insurance Company (collectively, "Hancock") and that Hancock has no objection to impoundment of the documents that are the subject of this Motion.

/s/ Michael S. D'Orsi  
Michael S. D'Orsi

Dated: October 13, 2004